

**To:** Peterson, Mary[Peterson.Mary@epa.gov]  
**Cc:** Pemberton, Scott[Pemberton.Scott@epa.gov]  
**From:** Albert, Eric (ENRD)  
**Sent:** Mon 4/20/2015 2:24:22 PM  
**Subject:** RE: Call Follow Up

Not yet. I heard from Dico's counsel that he had heard from the Court that a mid-June argument date is likely, but until the Court sets the date we just don't know.

**From:** Peterson, Mary [mailto:Peterson.Mary@epa.gov]  
**Sent:** Monday, April 20, 2015 10:23 AM  
**To:** Albert, Eric (ENRD)  
**Cc:** Pemberton, Scott  
**Subject:** RE: Call Follow Up

Will do. I will let you know what I hear. Is there a date set for oral argument?

Mary P. Peterson, Acting Deputy Director

Superfund Division

EPA Region 7

11201 Renner Blvd.

Lenexa, KS 66219

913-551-7882 - desk

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**From:** Albert, Eric (ENRD) [mailto:Eric.Albert@usdoj.gov]  
**Sent:** Monday, April 20, 2015 9:22 AM  
**To:** Peterson, Mary  
**Cc:** Pemberton, Scott  
**Subject:** RE: Call Follow Up

Ok. That last communication was a month ago. Given that we are likely headed to oral argument in Dico in the next 8 weeks, it might be worth pinging the City to see if there are any updates.

Thanks.

Eric

**From:** Peterson, Mary [<mailto:Peterson.Mary@epa.gov>]  
**Sent:** Monday, April 20, 2015 9:46 AM  
**To:** Albert, Eric (ENRD)  
**Cc:** Pemberton, Scott  
**Subject:** FW: Call Follow Up

Eric – here is the latest news from the city.

Mary P. Peterson, Acting Deputy Director

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**From:** Conner, Rita A. [<mailto:RAConner@dmgov.org>]  
**Sent:** Thursday, March 12, 2015 11:17 AM  
**To:** Peterson, Mary; Pemberton, Scott

**Subject:** RE: Call Follow Up

Many thanks! We are appreciative of EPA's support and recognize the importance to present a redevelopment strategy that will provide those critical long term protective remedies.

I will make the contacts and advise. Still fully supportive of the opportunity to facilitate a meeting. I also like the idea of having the face to face with the EPA team and the City to bring you in on the developing vision in a more defined manner. I will advise when we have our consultant drawings in hand and have more to share, hoping very soon!

**From:** Peterson, Mary [<mailto:Peterson.Mary@epa.gov>]

**Sent:** Wednesday, March 11, 2015 3:55 PM

**To:** Conner, Rita A.; Pemberton, Scott

**Subject:** RE: Call Follow Up

Rita,

Thank you for the additional information regarding the Riverpoint West project. We appreciated the updates you provided during our recent call. It certainly sounds like redevelopment activity has picked up east of Dico, and that interest in the Dico property remains high.

As you know, EPA is generally supportive of redevelopment of the Dico property as long as protective remedies remain in place over the long term. Our primary interest and obligation is to protect human health and the environment from the contamination that remains at the Dico property.

You have previously indicated a willingness to facilitate a meeting between the US, Dico, and interested developers to explore options for settlement and transfer of the property to a new owner. Due to ongoing litigation between the US and Dico, the Department of Justice (DOJ) will need to participate in any settlement discussions. We ask that you contact Dico to first ascertain whether they are willing to have such discussions, and then we can determine how best to proceed from there. I have listed below the contact information for Dico legal counsel.

For purposes of the current litigation, Dico is represented by:

Steven Locher, Belin McCormick (Des Moines): 515-283-4610, [shlocher@belinmccormick.com](mailto:shlocher@belinmccormick.com)

Joel Bertocchi, Hinshaw & Culbertson (Chicago): 312-704-3130, [JBertocchi@hinshawlaw.com](mailto:JBertocchi@hinshawlaw.com)

Tom Lupo, Hinshaw & Culbertson (Chicago): 312-704-3138, [TLupo@hinshawlaw.com](mailto:TLupo@hinshawlaw.com)

Sergio Acosta, Hinshaw & Culbertson (Chicago) 312-623-3530, [SAcosta@hinshawlaw.com](mailto:SAcosta@hinshawlaw.com)

Given the scope of redevelopment activity planned and ongoing in the area around Dico, it may be beneficial for EPA to meet with you (in advance of any settlement discussions) in order to fully grasp the city's vision for the area. EPA is willing to travel to Des Moines for that purpose. Please let me know if you would like to pursue that.

I look forward to hearing from you.

Mary P. Peterson, Acting Deputy Director

Superfund Division

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**From:** Conner, Rita A. [mailto:RAConner@dmgov.org]  
**Sent:** Friday, March 06, 2015 1:08 PM  
**To:** Peterson, Mary; Pemberton, Scott  
**Subject:** Call Follow Up

Mary, Scott-

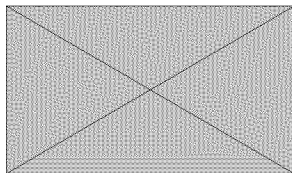
Thanks for the recent conversation. I am attaching one document to better describe current and proposed activity in the vicinity of the Dico site. This is the current Sherman Associates proposal for the Riverpoint West development, east of the Dico site.

We just concluded a 2 day series of conversations with the various additional entities that are interested in the redevelopment of the Dico site vicinity. This should allow us to develop expanded visual conceptual scenarios to better describe the other components (athletic stadiums, amphitheater, solar panel fields, etc.) in discussion. We remain very excited about these ideas and on communicating them and other thoughts to the owner.

I have not yet reached out to the owner; was there a contact name that you planned to send? Otherwise I will go back to the environmental engineer, Gazi George, to reach out.

Rita Conner

Economic Development Coordinator



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